



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,688	06/20/2001	Yoshiaki Numata	P/1866-62	6361

7590 08/11/2005

Steven I. Weisburd
Dickstein Shapiro Morin & Oshinsky LLP
1177 Avenue of the Americas
41st Floor
New York, NY 10036-2714

EXAMINER

BURLESON, MICHAEL L

ART UNIT	PAPER NUMBER
----------	--------------

2626

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/885,688

Applicant(s)

NUMATA, YOSHIAKI

Examiner

Michael Burleson

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection. Applicant states that admitted prior art does not teach of a control terminal that is capable of inputting signal identification data, in which the input signal content is capable of being changed according to the identification data as stated in independent claims 1 and 7. He also states that admitted prior art fails to teach of a control terminal for inputting a fax data demodulation control signal as stated in claims 2 and 8. Examiner agrees with Applicant's remarks page 12. Examiner feels that Shoika et al. US 5257262 teaches of an assignment request generator (25) that produces control and request assignment signals, in particular, voice and voice band data (or facsimile) signals which can be changed. Claims 1-12 are rejected.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over admitted prior art in view of Shioka et al. US 5257262.

3. Regarding claim 1, Admitted prior art teaches of a facsimile transmission side and reception side constituted by DCME (Figure 11 and 12 of Applicant's Drawings), this reads on a facsimile signal transmission system, in which the transmission side and the reception side are inter-coupled via a bearer for bilateral facsimile signal transmission, each side being constituted by DCME. Admitted prior art teaches of a signal identification circuit (51) that identifies a fax signal (specification page 2, lines 15-20 and drawing figure 11), which reads on a signal identification means for identifying the input signal and outputting a Fax data identification signal. Admitted prior art teaches of a Fax data allotment control circuit (58) which effects allotment control for a Fax data demodulation circuit (59) (specification page 3, lines 24-28 and page 4, lines 1-4). This reads on

Art Unit: 2626

a FAX data allotment control means for outputting allotment control data for a FAX data demodulation process according to the FAX data identification signal. Admitted prior art teaches of a Fax data demodulation circuit (59) that executes a Fax data demodulation process which is then outputted to the Fax data transmission circuit (60) to be rearranged (specification page 4, lines 7-15). This reads on a Fax data demodulation processing means for demodulating and rearranging the input signal according to the allotment control data and outputting a Fax data transmission signal. Admitted prior art teaches of a Fax allotment signal generation circuit (61) that generates a Fax allotment signal for notification of the Fax data allotment data to the opposite side of communication (specification page 4, lines 15-18), which reads on a Fax allotment data generation means for generating a Fax data allotment signal for notifying the allotment control data to the opposite side of communication. Admitted prior art teaches of a multiplexing circuit (62) that multiplexes the Fax data transmission signal and the Fax data allotment signal and transmits the resultant signal as a bearer signal (specification page 4, lines 19-24). This reads on a multiplexing means for multiplying the Fax data transmission signal and the Fax data allotment signal and outputting the resultant signal as a bearer signal. Admitted prior art teaches that on the reception side (figure 12) there is a separating circuit (63) that separates the Fax transmission signal and the Fax data allotment signal from the input bearer signal (specification page 5, lines 10-13), which reads on a separation means for separating the Fax data transmission signal and the Fax data allotment signal from the bearer input and outputting the separated signals.

Art Unit: 2626

Admitted prior art teaches of a Fax data allotment signal reception circuit (69) that outputs a Fax allotment analysis signal (specification page 6,lines 5-8), which reads on a Fax data allotment signal reception means for outputting a Fax data allotment analysis signal from the Fax data allotment signal. Admitted prior art teaches of a Fax distribution control circuit (70) that outputs control command and Fax data signal remodulation control command for distribution control of the Fax data signal and a Fax data signal remodulation circuit (71) performs a remodulation process (specification page 6,lines 8-22), which reads on a Fax data distribution control means for outputting distribution control data for remodulation of Fax data, a Fax data remodulation processing means for remodulating the Fax data transmission signal according to the distribution control data and outputting a Fax data remodulation signal. Admitted prior art teaches of a signal output circuit (72) that outputs the remodulated Fax remodulation signal as a trunk signal (specification page 6,lines 23-27), which reads on a signal output means for outputting the Fax remodulation signal as trunk signal.

4. Admitted prior art does not explicitly teach the transmission side is provided with a control terminal for inputting signal identification data, and the input signal identification content in the signal identification means is capable of being changed according to the signal identification data.

5. Shioka et al. teaches of an assignment request generator (25) that produces a control signal and a request signal, the request signal is classifiable into voice signal assignment, voice band data assignment (facsimile signal)

Art Unit: 2626

(column 4, lines 51-53) and other signals (column 5, lines 39-65), which reads on the transmission side is provided with a control terminal for inputting signal identification data, and the input signal identification content in the signal identification means is capable of being changed according to the signal identification data.

6. It would have been obvious to one of ordinary skill in the art to use the assignment request generator (25) of Shioka et al. as a means to change the input signal identification content of the transmission side of admitted prior art. The motivation for doing so would have been to identify voice or facsimile data signals to be transmitted.

7. Regarding claim 2, Admitted prior art teaches of a facsimile transmission side and reception side constituted by DCME (Figure 11 and 12 of Applicant's Drawings), this reads on a facsimile signal transmission system, in which the transmission side and the reception side are inter-coupled via a bearer for bilateral facsimile signal transmission, each side being constituted by DCME. Admitted prior art teaches of a signal identification circuit (51) that identifies a fax signal (specification page 2, lines 15-20 and drawing figure 11), which reads on a signal identification means for identifying the input signal and outputting a Fax data identification signal. Admitted prior art teaches of a Fax data allotment control circuit (58) which effects allotment control for a Fax data demodulation circuit (59) (specification page 3, lines 24-28 and page 4, lines 1-4). This reads on a FAX data allotment control means for outputting allotment control data for a FAX data demodulation process according to the FAX data identification signal.

Art Unit: 2626

Admitted prior art teaches of a Fax data demodulation circuit (59) that executes a Fax data demodulation process which is then outputted to the Fax data transmission circuit (60) to be rearranged (specification page 4, lines 7-15). This reads on a Fax data demodulation processing means for demodulating and rearranging the input signal according to the allotment control data and outputting a Fax data transmission signal. Admitted prior art teaches of a Fax allotment signal generation circuit (61) that generates a Fax allotment signal for notification of the Fax data allotment data to the opposite side of communication (specification page 4, lines 15-18), which reads on a Fax allotment data generation means for generating a Fax data allotment signal for notifying the allotment control data to the opposite side of communication. Admitted prior art teaches of a multiplexing circuit (62) that multiplexes the Fax data transmission signal and the Fax data allotment signal and transmits the resultant signal as a bearer signal (specification page 4, lines 19-24). This reads on a multiplexing means for multiplying the Fax data transmission signal and the Fax data allotment signal and outputting the resultant signal as a bearer signal. Admitted prior art teaches that on the reception side (figure 12) there is a separating circuit (63) that separates the Fax transmission signal and the Fax data allotment signal from the input bearer signal (specification page 5, lines 10-13), which reads on a separation means for separating the Fax data transmission signal and the Fax data allotment signal from the bearer input and outputting the separated signals. Admitted prior art teaches of a Fax data allotment signal reception circuit (69) that outputs a Fax allotment analysis signal (specification page 6, lines 5-8),

Art Unit: 2626

which reads on a Fax data allotment signal reception means for outputting a Fax data allotment analysis signal from the Fax data allotment signal. Admitted prior art teaches of a Fax distribution control circuit (70) that outputs control command and Fax data signal remodulation control command for distribution control of the Fax data signal and a Fax data signal remodulation circuit (71) performs a remodulation process (specification page 6, lines 8-22), which reads on a Fax data distribution control means for outputting distribution control data for remodulation of Fax data, a Fax data remodulation processing means for remodulating the Fax data transmission signal according to the distribution control data and outputting a Fax data remodulation signal. Admitted prior art teaches that the Fax signal remodulation circuit (71) performs a remodulation process of the pertinent signal in the Fax demodulation signal according to the Fax data signal remodulation control command (specification page 6, lines 18-23 and figure 12). This reads on the Fax data remodulation processing means in the reception side can execute a remodulation process corresponding to the changed demodulation content according to the fax allotment signal from the Fax data allotment signal generation means.

8. Admitted prior art teaches of a signal output circuit (72) that outputs the remodulated Fax remodulation signal as a trunk signal (specification page 6, lines 23-27), which reads on a signal output means for outputting the Fax remodulation signal as trunk signal.

Art Unit: 2626

9. Admitted prior art does not explicitly teach the transmission side is provided with a control terminal for inputting a Fax data demodulation control data.

10. Shioka et al. teaches of an assignment request generator (25) that produces a control signal and a request signal, the request signal is classifiable into voice signal assignment, voice band data assignment (facsimile signal) (column 4, lines 51-53) and other signals (column 5, lines 39-65), which reads on the transmission side is provided with a control terminal for inputting a Fax data demodulation control data.

11. It would have been obvious to one of ordinary skill in the art to use the assignment request generator (25) of Shioka et al. as a means to change the input signal identification content of the transmission side of admitted prior art. The motivation for doing so would have been to identify voice or facsimile data signals to be transmitted.

12. Regarding claim 3, Admitted prior art teaches of a delay circuit (57) that delays the input signal by a time necessary for the identification and outputs the resultant delayed Fax data signal (specification page 4, lines 4-6), which reads on a delay means for delaying the input signal for a time necessary for the signal identification in the signal identification in the signal identification means according to the allotment. Admitted prior art teaches that the Fax data demodulation circuit (59) the pertinent Fax data demodulation circuit selected according to the Fax data demodulation control command and outputs the resultant Fax data demodulation (specification page 4, lines 7-12), which reads on

Art Unit: 2626

a Fax data demodulation means for demodulating the Fax data signal with a pertinent demodulation circuit selected according to the allotment control data and outputting a Fax data demodulation signal. Admitted prior art teaches of a Fax data transmission circuit (60) that rearranging the input Fax data demodulation signal (specification page 4, lines 12-15), which reads on a Fax data transmission means for rearranging the Fax data demodulation signal according to the allotment control data and outputting the Fax transmission signal.

13. Regarding claim 4, Admitted prior art teaches of a Fax signal output circuit (68) that rearranges the Fax data demodulation signal (specification page 6, lines 8-17 and figure 12), which reads on the Fax data remodulation processing means includes a Fax data transmission means for rearranging the Fax data transmission signal according to the distribution control data and outputting the Fax demodulation signal. Admitted prior art teaches of a Fax data signal remodulation circuit (71) performs remodulation based on Fax signal remodulation control data (specification page 6, lines 18-22 and figure 12), which reads on a Fax data remodulation means for remodulating the Fax data demodulation signal according to the distribution control data.

14. Regarding claim 5, Admitted prior art teaches that the voice/data signal allotment control circuit (53) and the Fax signal allotment control circuit (58) transmit data between each other to output voice/data signal (figure 11), which reads on the voice/data allotment data and the Fax data allotment data are transmitted mutually between the Fax data allotment control means and the

Art Unit: 2626

voice/data allotment control means for outputting allotment control data corresponding to the voice/data signal.

15. Regarding claim 6, Admitted prior art teaches of a Fax allotment signal reception circuit (69) that outputs a Fax allotment analysis signal to the signal identification circuit, which transmits a Fax identification signal to the Fax signal allotment control circuit (58) (specification page 6, lines 5-22, figures 11 and 12). This reads on the Fax data control signal is branched from the Fax data allotment signal reception means in the reception side and transmitted via the signal identification means in the transmission side to the Fax data allotment control means to let the Fax data allotment control means output the allotment control data according to the Fax data identification signal and the Fax data control signal.

16. Regarding claim 7, Admitted prior art teaches a facsimile transmission side and reception side constituted by DCME (Figure 11 and 12 of Applicant's Drawings), this reads on a facsimile signal transmission system in the digital circuit multiplication equipment. Admitted prior art teaches of a signal identification circuit (51) that identifies a fax signal (specification page 2, lines 15-20 and drawing figure 11), which reads on an input signal is identified to be a fax data by a signal identification means.

17. Admitted prior art does not explicitly teach a control terminal for inputting signal identification data is provided on a transmitting side and the input signal identification content in the signal identification means is capable of being changed according to the signal identification data.

Art Unit: 2626

18. Shioka et al. teaches of an assignment request generator (25) that produces a control signal and a request signal, the request signal is classifiable into voice signal assignment, voice band data assignment (facsimile signal) (column 4, lines 51-53) and other signals (column 5, lines 39-65), which reads on a control terminal for inputting signal identification data is provided on a transmitting side and the input signal identification content in the signal identification means is capable of being changed according to the signal identification data.

19. It would have been obvious to one of ordinary skill in the art to use the assignment request generator (25) of Shioka et al. as a means to change the input signal identification content of the transmission side of admitted prior art. The motivation for doing so would have been to identify voice or facsimile data signals to be transmitted.

20. Regarding claim 8, Admitted prior art teaches a facsimile transmission side and reception side constituted by DCME (Figure 11 and 12 of Applicant's Drawings), this reads on a facsimile signal transmission system in the digital circuit multiplication equipment. Admitted prior art teaches of a signal identification circuit (51) that identifies a fax signal (specification page 2, lines 15-20 and drawing figure 11), which reads on an input signal is identified to be a fax data by a signal identification means. Admitted prior art teaches Fax signal allotment control circuit (58) which outputs a Fax signal demodulation control data signal to the Fax signal demodulator (59) (specification page 3, lines 22-28). This reads on a Fax data demodulation is controlled according to the Fax data

Art Unit: 2626

demodulation control signal. Admitted prior art teaches that the Fax signal remodulation circuit (71) performs a remodulation process of the pertinent signal in the Fax demodulation signal according to the Fax data signal remodulation control command (specification page 6, lines 18-23 and figure 12), which reads on a remodulation process corresponding to the controlled demodulation is executed according to received Fax data allotment signal.

21. Admitted prior art does not explicitly teach a control terminal for inputting a Fax data demodulation control data is provided on a transmitting side.

22. Shioka et al. teaches of an assignment request generator (25) that produces a control signal and a request signal, the request signal is classifiable into voice signal assignment, voice band data assignment (facsimile signal) (column 4, lines 51-53) and other signals (column 5, lines 39-65), which reads on a control terminal for inputting a Fax data demodulation control data is provided on a transmitting side.

23. It would have been obvious to one of ordinary skill in the art to use the assignment request generator (25) of Shioka et al. as a means to change the input signal identification content of the transmission side of admitted prior art. The motivation for doing so would have been to identify voice or facsimile data signals to be transmitted.

24. Regarding claim 9, claim 9 is rejected for the same reasons as claim 3.

25. Regarding claim 10, claim 10 is rejected for the same reasons as claim 4.

26. Regarding claim 11, claim 11 is rejected for the same reasons as claim 5.

27. Regarding claim 12, claim 12 is rejected for the same reasons as claim 6.

Conclusion

Any inquiry concerning this communication should be directed to Michael Burleson whose telephone number is (571) 272-7460 and fax number is (571) 273-7460. The examiner can normally be reached Monday thru Friday from 8:00 a.m. – 4:30p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at (571) 272-7471


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER

Michael Burleson
Patent Examiner
Art Unit 2626



Mlb
August 3, 2005